

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FILED

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CLERK US DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY lcw  
DEPUTY

CHRISTOPHER DANIEL McNOSKY and SVEN  
STRICKER,

Plaintiffs,

-vs-

Case No. A-13-CA-631-SS

TEXAS GOVERNOR RICK PERRY, TEXAS  
ATTORNEY GENERAL GREG ABBOTT, and  
TARRANT COUNTY CLERK MARY LOUISE  
GARCIA

Defendant.

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**ORDER**

BE IT REMEMBERED on January 9, 2014, the Court called a hearing in the above-styled cause, and Plaintiffs Christopher Daniel McNosky and Sven Stricker appeared representing themselves pro se, and Defendants Rick Perry, Greg Abbott, and Mary Louise Garcia appeared by and through counsel. In addition, the parties in two other related cases, which the Defendants have moved to consolidate into this case, appeared: (1) *Zahrn, et al. v. Perry et al.*, No. 1-13-cv-955-SS; and (2) *De Leon et al. v. Perry et al.*, No. 5:13-cv-982-OLG. Plaintiffs and Defendants in both of these cases appeared by and through counsel.

Before the Court are Defendants Rick Perry and Greg Abbott's Motion to Consolidate [#17], Plaintiffs Christopher McNosky and Sven Stricker's Response [#20], Defendants Rick Perry and Greg Abbott's Reply [#26], and Plaintiffs Zahrn, et al.'s Response<sup>1</sup>; Plaintiffs De Leon, et al.'s

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<sup>1</sup>This Response was actually filed in the *Zahrn* case, and not in the *McNosky* case where the Motion to Consolidate was filed. The *Zahrn* plaintiffs' Response appears as docket entry #11 in the *Zahrn* case.

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Motion to Intervene [#21]; Plaintiffs Christopher McNosky and Sven Stricker's Motion for Preliminary Injunction and Temporary Restraining Order [#18]; Plaintiffs Christopher McNosky and Sven Stricker's Amended Motion for Preliminary Injunction and Temporary Restraining Order [#24], and Defendants Rick Perry and Greg Abbott's Response [#39]; Defendant Mary Louise Garcia's Motion to Dismiss and Response to Plaintiffs' Amended Motion for Preliminary Injunction and Temporary Restraining Order [#32]; Plaintiffs Christopher McNosky and Sven Stricker's Motion for Summary Judgment [#37]; Defendants Rick Perry and Greg Abbott's Motion for Extension of Time to File Response to Plaintiffs' Motion for Summary Judgment [#42]; and Defendant Mary Louise Garcia's Motion for Extension of Time to File Response to Plaintiffs' Motion for Summary Judgment [#43]. Having reviewed the documents, the relevant law, and the file as a whole, the Court now enters the following orders, memorializing its orders given orally at the hearing.

IT IS ORDERED that Defendants Rick Perry and Greg Abbott's Motion to Consolidate [#17] is DISMISSED WITHOUT PREJUDICE to reconsideration at a later date;

IT IS FURTHER ORDERED that Plaintiffs De Leon, et al.'s Motion to Intervene [#21] is GRANTED for the limited purpose of opposing the Motion to Consolidate, but these plaintiffs are not parties to the *McNosky* case at this time;

IT IS FURTHER ORDERED that Defendants Rick Perry and Greg Abbott's Motion for Extension of Time to File Response to Plaintiffs' Motion for Summary Judgment [#42] is GRANTED, and the Response is due TWENTY (20) days from entry of this order;

IT IS FURTHER ORDERED that Defendant Mary Louise Garcia's Motion for Extension of Time to File Response to Plaintiffs' Motion for Summary Judgment [#43] is GRANTED, and the Response is due TWENTY (20) days from entry of this order;

IT IS FINALLY ORDERED that the parties shall have TEN (10) days from entry of this order to file letters with each other (and later with the Court) indicating the parties' respective expectations concerning scheduling matters including, but not limited to: (1) the number of potential witnesses and their identities if possible, and (2) whether discovery is required, and if so, how discovery should be scheduled and how long said discovery will take to fully conduct. Each party is to file its proposals for preparation for a final hearing in this case by January 28, 2014.

SIGNED this the 10<sup>th</sup> day of January 2014.

  
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SAM SPARKS  
UNITED STATES DISTRICT JUDGE